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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,373	10/29/2001	Eduard K. de Jong	SUN-P7014	7801

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EXAMINER

NGUYEN, THU HA T

ART UNIT PAPER NUMBER

2155

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/033,373	DE JONG ET AL.	
	Examiner	Art Unit	
	Thu Ha T. Nguyen	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment filed on July 11, 2005.
2. Claims **1-6, 8 and 10** are presented for examination.
3. Claims 2, 4, and 5 are currently amended.
4. Claims 7 and 9 are cancelled without prejudice.

Response to Arguments

5. Applicant's arguments filed July 11, 2005 have been fully considered but they are not persuasive because of the following reasons:

6. Applicant argues that Win does not teach or suggest the feature of enrolling with an authority, said enrolling creating enrollment results, said enrollment results comprising user data. In response to applicant's argument, the Patent Office maintains the rejection because Win does teach the feature of enrolling with an authority, said enrolling creating enrollment results, said enrollment results comprising user data as shown in abstract, figures 1, 5, col. 6, lines 19-54, col. 9, lines 14-col. 10, lines 63.

7. Applicant argues that Wind does not teach or suggest using said enrollment results to obtain a service from a service provider, said service provider capable of communicating with said authority to verify said enrollment results. In response to applicant's argument, the Patent Office submits that Win does teach the feature of using said enrollment results to obtain a service from a service provider, said service provider capable of communicating with said authority to verify said enrollment

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results as shown in abstract, figures 1, 3B-C, col. 6, lines 58-65, col. 7, lines 15-col. 8, lines 4.

8. Applicant argues that Win fails to teach a user-controlled secure storage device. In response to applicant's argument, the Patent Office maintains the rejection because Win does teach the feature of storing said user data in said user-controlled secure storage device (figures 5A-C, col. 10, lines 14-55.

9. Applicant argues Win fails to teach accept a service request a first set of user data and a second set of user data. In response to applicant's argument, the Patent Office maintain the same rejection because Win does teach the feature of accept a service request (figures 3B-C), a first set of user data and a second set of user data as shown in figures 3B-C, col. 6, lines 58-65 (figures 3B-C, col. 6, lines 58-65.

10. As a result, cited prior art does disclose a system and method for obtaining a service on a data communication network, as broadly claimed by the Applicants. Applicants clearly have still failed to identify specific claim limitations that would define a clearly patentable distinction over prior art.

11. Accordingly, rejections for claims 1-6, 8 and 10 are rejected below.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C.

§ 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claims 1-10 are rejected under 35 U.S.C. §102(e) as being anticipated by **Win et al.** (hereinafter Win) U.S. Patent No. **6,453,353**.

14. As to claim 1, **Win** teaches the invention as claimed, including a method for obtaining a service on a data communications network, the method comprising:
enrolling with an authority, said enrolling creating enrollment results, said enrollment results comprising user data (abstract, figures 1, 5, col. 6, lines 19-54, col. 9, lines 14-col. 10, lines 63); and
using said enrollment results to obtain a service from a service provider, said service provider capable of communicating with said authority to verify said enrollment results (abstract, figures 1, 3B-C, col. 6, lines 58-65, col. 7, lines 15-col. 8, lines 4).

15. As to claim 2, **Win** teaches the invention as claimed, including a method for managing identification in a data communications network, the method comprising:
generating authenticated user data (figures 5A-C), said generating comprising:
presenting a request for authenticated user data and a first set of user data to an authority (figures 5A-C, col. 9, lines 51-67); and
receiving authenticated user data from said authority in response to said request (figures 5A-C, col. 9, lines 51-col. 10, lines 13); and

using said authenticated user data to obtain at least one service on said data communications network (figures 3B-C, col. 6, lines 41-65), said using comprising:

presenting a service request and said authenticated user data to a service provider (figures 3B-C, col. 6, lines 41-65); and

receiving said at least one service in response to said service request if said service provider determines said authenticated user data is sufficient to provide said at least one service wherein said service provider is capable of communicating with said authority to verify said enrollment results (abstract, figures 1, 3B-C, col. 6, lines 17-54, col. 8, lines 23-col. 9, lines 12).

16. As to claim 3, **Win** teaches the invention as claimed, including a program storage device readable by a machine, embodying a program of instructions executable by the machine to perform a method for obtaining a service on a data communications network, the method comprising:

enrolling with an authority, said enrolling creating enrollment results, said enrollment results comprising user data (abstract, figures 1, 5, col. 6, lines 19-54, col. 9, lines 14-col. 10, lines 63); and

using said enrollment results to obtain a service from a service provider, said service provider capable of communicating with said authority to verify said enrollment results (abstract, figures 1, 3B-C, col. 6, lines 58-65, col. 7, lines 15-col. 8, lines 4).

17. As to claim 4, **Win** teaches the invention as claimed, including a program storage device readable by a machine, embodying a program of instructions executable by the machine to perform a method for managing identification in a data communications network, the method comprising:

generating authenticated user data (figures 5A-C), said generating comprising:

presenting a request for authenticated user data and a first set of user data to an authority (figures 5A-C, col. 9, lines 51-67); and

receiving authenticated user data from said authority in response to said request (figures 5A-C, col. 9, lines 51-col. 10, lines 13); and

using said authenticated user data to obtain at least one service on said data communications network (figures 3B-C, col. 6, lines 41-65), said using comprising:

presenting a service request and said authenticated user data to a service provider (figures 3B-C, col. 6, lines 41-65); and

receiving said at least one service in response to said service request if said service provider determines said authenticated user data is sufficient to provide said at least one service wherein said service provider is capable of communicating with said authority to verify said enrollment results (abstract, figures1, 3B-C, col. 6, lines 17-54, col. 8, lines 23-col. 9, lines 12).

18. As to claim 5, **Win** teaches the invention as claimed, including an apparatus for managing identification in a data communications network, the apparatus comprising:

means for generating authenticated user data (figure 5A-C), said generating comprising:

means for presenting a request for authenticated user data and a first set of user data to an authority (figures 5A-C, col. 9, lines 51-67); and

means for receiving authenticated user data from said authority in response to said request (figures 5A-C, col. 9, lines 51-col. 10, lines 13); and

means for using said authenticated user data to obtain at least one service on said data communications network (figures 3B-C, col. 6, lines 41-65), said means for using comprising:

means for presenting a service request and said authenticated user data to a service provider (figures 3B-C, col. 6, lines 41-65); and

means for receiving said at least one service in response to said service request if said service provider determines said authenticated user data is sufficient to provide said at least one service wherein said service provider is capable of communicating with said authority to verify said enrollment results (abstract, figures1, 3B-C, col. 6, lines 17-54, col. 8, lines 23-col. 9, lines 12).

19. As to claim 6, **Win** teaches the invention as claimed, including an apparatus for managing identification in a data communications network, the apparatus comprising:

means for receiving a user-controlled secure storage device (figures 5A-C, col. 9, lines 51-col. 10, lines 26);

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means for enrolling said user with an authority, said enrolling comprising providing information requested by said authority (abstract, figures 1, 5A-C, col. 6, lines 19-54, col. 9, lines 14-col. 10, lines 63);

means for receiving user data in response to said enrolling (abstract, figures 1, 5, col. 6, lines 19-54, col. 9, lines 14-col. 10, lines 63);

means for storing said user data in said user-controlled secure storage device (figures 5A-C, col. 10, lines 14-55); and

means for using said user data at a service provider Web site to obtain a service (abstract, figures 1, 3B-C, col. 6, lines 58-65, col. 7, lines 15-col. 8, lines 4).

20. As to claim 8, **Win** teaches the invention as claimed, including an apparatus for obtaining a service on a data communications network, the apparatus comprising:

a service provider configured to accept a service request and enrollment results obtained from an enrollment authority, said service provider capable of communicating with said authority to verify said enrollment results, said service provider configured to provide said service based upon said enrollment results and a response from said enrollment authority (abstract, figures 1, 3B-C, 5, col. 6, lines 19-65, col. 7, lines 15-col. 8, lines 4, col. 9, lines 14-col. 10, lines 63).

21. As to claim 10, **Win** teaches the invention as claimed, including an apparatus for managing identification in a data communications network, the apparatus

comprising: a service provider configured to accept a service request (figures 3B-C), a first set of user data and a second set of user data, said first set of user data comprising user data authenticated by an authority (figures 3B-C, col. 6, lines 58-65), said service provider further configured to determine whether said first set of user data and said second set of user data are sufficient to provide said service, said service provider further configured to provide said service based upon said determination (abstract, figures 1, 3B-C, col. 6, lines 58-65, col. 7, lines 15-col. 9, lines 12).

Conclusion

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:30 AM to 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Najjar Saleh, can be reached at (571) 272-4006.

The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thu Ha Nguyen

September 30, 2005



SALEH NAJJAR
PRIMARY EXAMINER